

Notice of Allowability

Application No.

09/972,386

Applicant(s)

LAMB ET AL.

Examiner

Art Unit

Qing-Yuan Wu

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/23/06.
2. ☒ The allowed claim(s) is/are 1-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


WILLIAM THOMSON
SUPERVISORY PATENT EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
2. Authorization for the examiner's amendment was given in a telephone interview with Ms. Janaki K. Davda, Reg. No. 40,684 on May 23, 2006.
3. The claims have been amended in accordance to the attached fax amendments filed by applicant on May 23, 2006.

REASONS FOR ALLOWANCE

4. The following is an Examiner's Statement of Reasons for Allowance:

The prior art of record does not expressly teach or render obvious, in the context of the claims taken as a whole, the invention as recited in independent claims 1, 10, 15, 20 and 22-26.

An operating system having a port driver defining a software interface between a class driver and an adapter to which one or more of the storage devices are coupled, the class driver for claiming one or more of the storage devices for access by the operating system and any applications programs executing therein by invoking the port driver to which the selected digital

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data processor is coupled, the class driver issuing a claim request to the port driver for a selected one of the storage devices, and the port driver issuing a response to the class driver was uncovered in U.S. PG Pub 20020069245 (Kim), a filter/adaptor unit that performs filtering function to ensure that only hosts with privileges are able to access the volume and filtering out non-privileged requests was uncovered in U.S. Patent 6,810,396 (Blumenau et al.). However, these references taken alone or in combination do not expressly teach or render obvious, in the context of the claims taken as a whole, the invention as recited, substantially, in independent claims 1, 10, 15, 20 and 22-26 a filter in communication with the port driver and the class driver, wherein the filter intercepting the response from the port driver, determining whether the selected storage device has been assigned to the selected digital data processor, and, in response to determining that the storage device has not been assigned, blocking claiming of the selected storage device.

Nor was a reference uncovered that would have provided a basis of evidence for asserting a motivation that one of ordinary skill level in the art at the time the invention was made, knowing an operating system having the structure as recited above, and a filter/adaptor unit that performs filtering function to ensure that only hosts with privileges are able to access the volume and filtering out non-privileged requests would have combine to arrived at the present method system, and program as recited in the context of independent claims 1, 10, 15, 20 and 22-26.

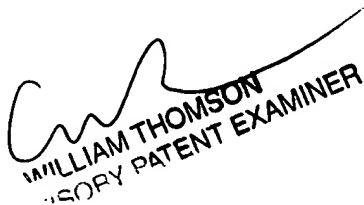
5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Qing-Yuan Wu whose telephone number is (571) 272-3776. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Thomson can be reached on (571) 272-3718. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WILLIAM THOMSON
PATENT EXAMINER

Qing-Yuan Wu
Patent Examiner
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